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January 24, 2006

Electronic Filing

Ms. Marlene H. Dortch  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**Re: WT Docket No. 05-7  
Ex Parte Notice of Withdrawal of  
Comments of Flarion Technologies, Inc.**

Dear Ms. Dortch:

With regard to the above-captioned proceeding, Flarion Technologies, Inc. ("Flarion") respectfully withdraws its comments on the Petition for Declaratory Ruling ("Petition") of Qualcomm Incorporated ("QUALCOMM") regarding whether Section 27.60 (b)(1)(iii) of the Commission's Rules allows the use of the so-called Office of Engineering and Technology Bulletin No. 69 ("OET-69") methodology to show that interference from QUALCOMM's MediaFLO transmitters to TV/DTV stations is *de minimis*.<sup>1</sup> Recently, Flarion was acquired by QUALCOMM.

Flarion did not oppose QUALCOMM's Petition for Declaratory Ruling or the relief requested under Section 27.60, but rather filed its comments because it was concerned about the use of OET-69 to comply with certain other Commission Rules (Sections 27.50, 27.53, and 27.55), which are concerned with preventing interference

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<sup>1</sup> See *In the Matter of QUALCOMM Incorporated Petition for Declaratory Ruling that OET-69 is Acceptable to Demonstrate Compliance with Section 27.60*, Comments of Flarion Technologies, Inc., WT Docket No. 05-7 (filed March 10, 2005) ("Flarion Comments").

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between and among 700 MHz licensees. Flarion understands that this is not the subject of the Petition and is not part of the relief requested by QUALCOMM.

For these reasons, Flarion respectfully requests that the Commission take notice of its withdrawal of the aforementioned comments. Please direct any questions concerning this matter to the undersigned.

Sincerely,

A handwritten signature in black ink that reads "Henry Goldberg". The signature is written in a cursive, flowing style.

Henry Goldberg  
*Attorney for Flarion Technologies, Inc.*

cc: Heather Dixon  
Fred Campbell  
John Giusti  
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